

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

KENNETH CABAN GONZALEZ,
on behalf of himself and others
similarly situated,

Plaintiff,

v.

SPENCER R. MOORE, in his official
Capacity as Commissioner of the
Georgia Department of Driver
Services, and JAMES WOO, in his
individual capacity,

Defendants.

Civil Action No.
1:19-cv-03035-TWT

FOURTH CONSENT MOTION TO STAY PROCEEDINGS

Defendants Spencer R. Moore and James Woo, through counsel and with the consent of Plaintiff Kenneth Caban Gonzalez, hereby move for a thirty-day stay of the proceedings up to and including February 28, 2020, to allow the parties to formalize their agreement resolving this matter. In support of this motion, Defendants respectfully show the Court as follows:

1. Plaintiff commenced this putative class action lawsuit on July 2, 2019.

Doc. 1.

2. Defendants waived service on July 3, 2019. Docs. 12, 13.

3. With Plaintiff's consent, Defendants moved for an extension of time to answer or otherwise respond to Plaintiff's complaint. Doc. 16. This Court granted Defendants' consent motion on August 29, 2019. Doc. 18.

4. Since August 23, 2019, the parties have been conferring in an effort to resolve the claims and issues in this matter.

5. On September 23, 2019, the parties jointly moved for a thirty-day stay of the proceedings, including to stay Plaintiff's obligation to seek class certification under Rule 23.1(B). Doc. 19.

6. On October 31, 2019, the parties jointly moved to stay proceedings for an additional sixty-day period. Doc. 22.

7. On December 17, 2019, the parties jointly moved to stay proceedings for an additional thirty-day period. Doc. 24.

8. Defendants were due to answer or otherwise respond to Plaintiff's complaint by no later than January 30, 2020.¹ Doc. 25.

9. The parties have reached a resolution of this matter and request a final thirty-day stay of the proceedings to formalize their agreement.

¹ Defendants apologize for the untimeliness of this motion but have necessarily waited for Plaintiff's consent before filing.

10. Therefore, with Plaintiff's consent, Defendants seek an additional thirty-day stay of the proceedings until February 28, 2020, including to stay Plaintiff's obligation to seek class certification and Defendants' obligation to answer or otherwise respond to Plaintiff's complaint.

WHEREFORE, Defendants request that the Court grant this motion and stay proceedings through and including February 28, 2020. A proposed order is attached hereto for the Court's convenience.

Respectfully submitted this 31st day of January, 2020.

PLEASE ADDRESS ALL
COMMUNICATIONS TO:
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CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1.D, I hereby certify that the foregoing has been prepared in 14-point Times New Roman in compliance with Local Rule 5.1.

/s/ Robert B. Shapiro
Robert B. Shapiro
Georgia Bar No. 932554

CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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